

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

United States of America,)	
)	C.A. No. 8:10-2260-HMH
Plaintiff,)	
)	
vs.)	OPINION AND ORDER
)	
\$57,995 in United States Currency,)	
)	
Defendant.)	

This in rem forfeiture proceeding concerns \$57,995.00 of United States currency that was seized from an automobile occupied by Kevin Demetrice Martin (“Martin”) and Latoya Juree McCombs (“McCombs”). On October 14, 2010, Martin filed a claim for the seized funds. This matter is currently before the court on the Government’s motion to strike Martin’s claim and answer to the Government’s complaint.

The Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions govern the procedure for in rem forfeiture actions. Supplemental Rule G(8)(c)(i)(A) authorizes the court to strike a claim or answer if the claimant fails to serve answers to the Government’s special interrogatories. The Government contends that Martin failed to answer its special interrogatories, and it moves the court to strike Martin’s claim and answer to the complaint. Martin did not respond to the Government’s motion.

It is therefore

ORDERED that the Government's motion to strike Martin's claim and answer, docket number 16, is granted. It is further

ORDERED that the Government's motion to strike Martin's claim, docket number 11, is denied as moot.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
December 13, 2010